

STATE OF VERMONT
DRUG RECOGNITION EVALUATION
 DPS 339



Rolling Log No. **09-08-27** Case Number **09A102617**

Page **1** of **3** TO BE COMPLETED BY D.R.E. TRAINED PERSONNEL

Offense(s) Charged
DUI/D

Name (Last, First, Middle) **[REDACTED]** DOB **[REDACTED]** Age **53** Sex **F** Arresting Officer (Name/Agency) **CPI DENIS VSP-Williston**

Date/Time of Arrest **6-25-09 1937** Breath test results **.000%** Time **1930** Refused **Instrument # 042507** Date/Time/Location of Examination **6-25-09/2000 Williston DRE Room**

Acknowledgment of Rights given by? **CPL DENIS** Rights Waived? ☐ Yes ☒ No What have you eaten today? **---** Time? **---** What have you been drinking? **---** How much? **---** Time of last drink? **---**

Time Now? **---** When did you last sleep? **---** How long? **---** Are you sick or injured? **---** ☐ Yes ☒ No Are you diabetic or epileptic? **---** ☐ Yes ☒ No

Do you take insulin? **---** ☐ Yes ☒ No Do you have any physical defects? **---** ☐ Yes ☒ No Are you under the care of a doctor/dentist? **---** ☐ Yes ☒ No

Are you taking any medication or drugs? **---** ☐ Yes ☒ No Do you have high blood pressure or heart disease? If yes, describe: **---** ☐ Yes ☒ No Have you ever had a severe head injury? **---** ☐ Yes ☒ No Do you have brain damage? **---** ☐ Yes ☒ No

Speech **LOW** Attitude/Behavior **INDIFFERENT** Coordination **SWAY/STUMBLING** Face **NORMAL** Breath/Coors **NORMAL**

Corrective Lenses ☐ Glasses ☐ Contacts ☐ Hard ☐ Soft ☒ None Eyes ☒ Normal ☐ Bloodshot ☐ Watery Binocularity ☐ None ☐ Right Eye ☐ Left Eye

Pupil size ☒ Equal ☐ Unequal (anisocoria) Able to follow stimulus? ☒ Yes ☐ No Eyelids ☐ Retracted ☐ Normal ☒ Droopy (3) One leg stand Timed 30 seconds

Pulse & Time **102, 2003** HGN Lack of smooth pursuit: ☒ Yes ☐ No Right eye: ☒ Yes ☐ No Left eye: ☒ Yes ☐ No Max. deviation ☒ Yes ☐ No Vertical nystagmus? ☒ Yes ☐ No Convergence **Right eye: e Left eye: e** Count # **---** Count # **---**

(1) Romberg Balance **3" SWAY** (2) Walk and turn **DID NOT ATTEMPT** Cannot keep balance: **---** Stated too soon: **---** Stopped walking: **---** Missed heel-toe: **---** Stepped off line: **---** Raised arms: **---** Actual steps taken: **---** Type of footwear **SNEAKERS**

Internal clock: **21** Estimated as 30 sec. Describe turn **---** Cannot do test (explain) **COULD NOT BALANCE**

(4) ☐ Right ☐ Left Finger/Nose Draw lines to spots touched Pupil Size: MM Light Right Eye Left Eye **2.5 2.5** Nasal area **CLEAR** Oral cavity/Tongue **White Film**

Room Light **2.5 2.5** Near Total Darkness **4.5 4.5** Direct **2.5 2.5** Comments **---** Rebound dilation ☐ Yes ☒ No Reaction to light ☒ Normal ☐ Slow ☐ Little or None Visible INDICATE FRESH OR OLD PUNCTURE MARKS Attach Photos of Fresh Puncture Marks (optional)

Blood pressure **152/94** Temperature **97.9 °F** Muscle tone ☐ Near Normal ☒ Flaccid ☐ Rigid Chemical test time: ☐ Blood ☒ Relused Witness: **---**

Drug admission? **SOMA, HYDROCODONE** Examining Officer **P. RAUGLIN** I.D. Number **229** IACP/DRE # **15470** DRE -- **Ravelin -- 000064**

Agency **---** Opinion of Evaluator ☐ Rule Out ☐ Alcohol ☐ Stimulant ☐ Dissociative Anesthetic ☐ Inhalant

Drug recognition evaluation report/narrative

1: **Location:** The evaluation was conducted in the Williston Barracks DRE processing room.

2: **Witness:** The entire evaluation was witnessed by Cpl. Denis.

3: **Breath Test:** [REDACTED] provided a sample of her breath with a Preliminary Breath Test Result of .000% BrAC at approximately 1930 hours using and Alco IV, serial number 042507

4: **Notification/Interview of A/O:** Cpl Denis advised he was dispatched to a call of a motor vehicle weaving in the roadway and running red lights on VT Rte 7 in the Town of Charlotte. Cpl Denis stated he first observed the vehicle as it approached Bostwick road in Shelburne. He stated the vehicle stopped in the middle of the intersection when the traffic light turned red. Cpl. Denis stated due to traffic he did not attempt to conduct the motor vehicle stop in the middle of the intersection so as the light turned green and the vehicle pull from the center of the intersection he activated his blue lights to signal the operator to pull over. Cpl Denis stated the vehicle continued to travel north on VT Rte 7 at approximately fifteen miles an hour and did not yield to the blue lights and siren. After approximately a quarter of a mile the vehicle pulled to a convince store. Cpl Denis stated as he spoke to the operator she exhibited HGN. Cpl. Denis stated after performing poorly on Field Sobriety Exercises Steffens provided a sample of her breath with a result of .000% BrAC. Cpl Denis stated he asked [REDACTED] if she had taken any medications or drugs. [REDACTED] advised Cpl. Denis she took three SOMA that day at 11:00 am, 4:00 pm and was unsure of the third time. [REDACTED] also advised she took Hydrocodone and Lorazepam.

5: **Initial Observations:** I first observed [REDACTED] walking to the DRE processing room. She walked with a visible limp. She made an unsolicited statement about having a "dead leg".

6: **Medical Problems:** No additional evidence of injury or illness was observed.

7: **Psychophysical Tests:** [REDACTED] was only able to perform two of the four psychophysical tests. On the Romberg Balance test, [REDACTED] swayed approximately 3 inches front to back. She her internal clock was fast. She estimated the passage of thirty seconds in twenty one seconds. On the Finger to Nose, [REDACTED] failed to touch the tip of her finger to the tip of her nose on commands number One, Two, Three, and Six. When giving [REDACTED] instructions on the Walk and Turn, she could not balance in the starting position. She had to use the wall and stumbled several times. She could not do the test. On the One Leg Stand, [REDACTED] could not lift her leg up for longer than a count of "one thousand one" on either foot. She had to use the wall to keep herself from falling. She could not do the exercise.

Subscribed and sworn to before me on

this 9 day of July 2009

(Notary Public) (Judicial Officer)

(Affiant)

(date)

Drug recognition evaluation report/narrative

8: **Clinical Indicators:** EYES: [REDACTED] exhibited ptosis. [REDACTED] was able to follow a stimulus and I noted a lack of smooth pursuit in both the left and right eyes. I observed HGN with a onset between zero and thirty degrees. On set was immediate. [REDACTED] exhibited vertical nystagmus and a lack of convergence in her left eye. [REDACTED] pupils were at the low end of normal in room light and direct light conditions. Her pupils were below normal in near total darkness. VITAL SIGNS: [REDACTED] pulse rate was high on all three readings at 102, 100, and 94. Her blood pressure was high at 152/94.

9: **Signs of Ingestion:** No other signs of ingestion were visible.

10: **Statements:** Through out the evaluation [REDACTED] made several unsolicited comments about having a dead leg. She did not elaborate as to what that meant.

11: **Opinion of Evaluator:** In my opinion [REDACTED] was under the influence of CNS Depressants and Narcotic Analgesics and was unable to operate a motor vehicle safely.

12: **Toxicological Sample:** [REDACTED] refused to have a sample of her blood drawn.

13. **Miscellaneous:** I am a Nationally Certified Drug Recognition Expert since July 2008.

Subscribed and sworn to before me on

this 9 day of July 2009

[Signature]
(Notary Public)

[Signature]
(Judicial Officer)

[Signature]
(Affiant)

7-9-09
(date)